

Thirteenth Lok Sabha

Session : 4

Date : 01-08-2000

Participants : [Chatterjee Shri Somnath](#), [Reddy Shri Jaipal Sudini](#), [Scindia Shri Madhavrao](#), [Chandra Shekhar Shri](#), [Pramod Mahajan Shri](#)

Title: Demanded clarity and discussions regarding the Government's inefficiency in handling the issue of the former Law Minister's allegations against the Attorney-General and subsequent resignation from the post.

SHRI MADHAVRAO SCINDIA (GUNA): Sir, I would like to make a submission. Let me say that the country is totally baffled by the absolute incompetence of the Government of India's handling of a very sensitive matter which concerns our basic institutions, our forums, our conventions in a parliamentary democracy. Sir, we are specially concerned at how this whole issue was allowed to be snowballed into a very unseemly brawl between the Attorney-General, the highest Law Officer of the Government of India, and the then Law Minister. This also gives rise to a possible confrontation between the Executive and the Judiciary. So, it is a very sad reflection of government and governance. The Prime Minister gave a generalised statement on this issue. To sum up in a few words, the Prime Minister has said nothing about everything.

Sir, this leads to a lot of questions and answers. Therefore, I would like to ask the Government as to how they propose to answer these questions. How were the confidential papers allegedly used in making grave allegations against the Attorney-General and the Judiciary were leaked? Should the Attorney-General advise a private party and that too, the one which is the subject of a criminal investigation by the agencies of the Government of India? Should the Attorney-General, who is drawing salary from the Government of India, also accept fees from such a party? Does it not give rise to a conflict of interest? What sort of a signal will emanate from this to the investigating agency if the highest Law Officer of the Government is advising a party that they are investigating, even if it is in another matter? Do we assume that while giving advice in that particular matter, there was no discussion between the Attorney-General and the party concerned on the subject-matter of the criminal investigation? In spite of all this, if the person sought permission, was it not gross misconduct on the part of the then Law Minister and the present Power Minister to have given this permission, considering the circumstances that surrounded the case? Was there any application of mind? If the permission had to be given, should it not have been given by the appointing authority which is the Prime Minister and not the Law Minister? These are all questions that remain unanswered and we would like the Government of India to respond adequately and address these questions. Otherwise, we will assume that the Government of India is also an interested party trying to hush up a particular matter because they do not want to be in an embarrassing situation.

Therefore, Sir, we must have a discussion on this, before the Government makes a total hash of all our parliamentary conventions, our institutions, and our forms that have been adopted in the last 50 years in the functioning of this parliamentary democracy. We demand, therefore, a discussion. We must have a response from the Government of India on this.

SHRI SOMNATH CHATTERJEE (BOLPUR): We find that for the last few days an unseemly controversy is going on in the country and in the other House. Even the Minister who has resigned has been unable to make a statement. The controversy involves the highest office holders in this

country -- the judicial head, the Law Minister, and also the Prime Minister comes in because it appears in the Press that the Prime Minister has also intervened. The position is that this Government appears to be suffering from total atrophy; in matters like this, in matters of moment, no response has come.

Sir, the country, outside the Parliament, is agitated; the Parliament is agitated, but the Government does not come out with any statement and there is no response. On these matters, one would expect that the Government should come *suo motu* and take the people into confidence at least on what is happening, and what is what. Even now, I find that the reports are coming about -- I do not know because I have no information except the newspaper reports -- and it is alleged that the Enforcement Directorate is now trying to implicate the Law Minister because he is inconvenient now. At the moment, he is very inconvenient. Till the other day, he was being utilised for berating the Opposition parties in this country. Today, he has become a hot potato. Therefore, all sorts of things are being said about him; and we know nothing, the Parliament knows nothing. This is the most serious thing.

We are supposedly functioning here for the sake of governance. The Government is there, but they do not take the Opposition into confidence on any important issue. Today, they are openly quarrelling there. Language is being used which is hardly complimentary to each other. I do not know who is right or wrong because I have no information. Therefore, I submit that at least the Government, the Prime Minister, owes a duty to this House. Here is only the Minister for selective responses and he is not a Minister for taking action. We have a Minister for Parliamentary Affairs who gives selective responses and nothing else happens.

Therefore, I do demand that the Prime Minister should come and tell the country through this House as to what is the position, what action the Government is going to take, and according to the Prime Minister, who is right or wrong because we do not know. I demand this.

SHRI CHANDRA SHEKHAR (BALLIA, U.P.): Mr. Speaker, Sir, I associate myself with the sentiments expressed by Shri Madhavrao Scindia and Shri Somnath Chatterjee. You know, I am not a great admirer of our former Law Minister, but I am constrained to say that justice has not been done to him. I shall not go into the details, but the man does not deserve what he is getting today. This is being done because of the party which he was representing in the Law Ministry. I am sorry to say that the statements made by various dignitaries of the Congress Party are not only a disgrace to the former Law Minister, but also a disgrace to the very functioning of the Government.

I hope that the Government will respond to the sentiments expressed by Shri Madhavrao Scindia and Shri Somnath Chatterjee.

SHRI S. JAIPAL REDDY (MIRYALGUDA): Sir, we are being bombarded with information not only from the debates in the other House, but also from inspired leaks that keep appearing in the Press. Can the House be a mute witness? One information is that the then Law Minister Rangarajan Kumaramangalam permitted the Attorney General to give opinion on the controversial Hinduja Project. We discussed this project a number of times; I do not want to get into the merits of the points.

I wonder how this Minister was allowed to permit the Attorney-General to give his opinion. The Attorney-General may be permitted to give his opinion in matters relating to two private parties. Here was a private party and the Government involved. How could the Attorney-General give an opinion in a matter relating to the Government affairs? How did the Minister permit this? Who prevailed upon the Minister?

Mr. Speaker, Sir, since the people are speaking from their personal knowledge, I have reasons to believe that the then Law Minister did it under pressure from the PMO. I say this with all sense of responsibility. I repeat, Mr. Speaker, Sir, I say this with all sense of responsibility.

Sir, I do not have to play a part in the brawl between the Attorney-General and the then Law Minister. Again, to my information, the Attorney-General felt that the conduct of the then Law Minister in connection with MS Shoes case deserves investigation by the CBI. He tendered his opinion on the file. Shri Chandra Sekhar is not an admirer of Shri Jethmalanai, but let me tell you that I am an admirer of Shri Ram Jethmalani. But in spite of that I wonder, why the Prime Minister took him as the Law Minister after the Attorney-General said his conduct deserved an investigation by the CBI? That is the point. Should not this House discuss all these matters?

अध्यक्ष महोदय : जयपाल रेड्डी जी, यह ज़ीरो ऑवर में डिस्कस नहीं होता।

... (*Interruptions*)

MR. SPEAKER: This is an important matter. That is why I have allowed the leaders of the Parties to speak on it. This is not the first time we are talking about it. This is the second time and that is why I have allowed the leaders.

... (*Interruptions*)

SHRI S. JAIPAL REDDY : Sir, both the Law Minister and the Attorney-General were appointed by the Prime Minister. The Prime Minister of this country cannot be a holy cow and not certainly in this House to which he is responsible. Therefore, there must be a discussion in the House and the Prime Minister must come clean on this. Unfortunately, the conduct of the Prime Minister is far from transparent. It is shrouded in secrecy; it is shrouded in controversy ... (*Interruptions*)

श्री विजय गोयल (चांदनी चौक) : अध्यक्ष जी, माननीय सदस्य यहां खड़े होकर कह रहे हैं कि पी.एम.ओ. का प्रेशर था - क्या यह अपनी बात को सब्सटेंशिएट कर सकते हैं?...(ब्यवधान) Sir, He is a responsible Member of Parliament ... (*Interruptions*)

SHRI S. JAIPAL REDDY : Sir, the Government must agree to a discussion on this ... (*Interruptions*)

MR. SPEAKER: Would the Government like to say anything?

... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Mr. Speaker, Sir, the country has got the right to know all the facts ... (*Interruptions*)

श्री अशोक प्रधान (खुर्जा) : अध्यक्ष महोदय, एक सीनियर मेम्बर ऐसी बात कर रहे हैं। क्या सीनियर मेम्बर प्राइम मिनिस्टर के काम में इस प्रकार से आक्षेप करेंगे ? ...(व्यवधान)

SHRIMATI MARGARET ALVA (CANARA): Sir, the Prime Minister is responsible ...
(*Interruptions*)

MR. SPEAKER: The hon. Minister is on his legs.

... (*Interruptions*)

SHRI PRAVIN RASHTRAPAL (PATAN): Sir, we want the Prime Minister to reply ...
(*Interruptions*)

श्री किरीट सोमैया (मुम्बई उत्तर पूर्व) : पहले इसे रिकार्ड से निकाल देना चाहिए।...(व्यवधान) Sir, the first thing is that such remarks should be removed from the records ... (*Interruptions*)

श्री विजय गोयल : अध्यक्ष महोदय, इन्होंने बिना सबूत के सदन के अंदर इतना कुछ कहा है।...(व्यवधान)

SHRI PRIYA RANJAN DASMUNSI : Sir, the Government must be prepared to agree for a discussion ... (*Interruptions*) Sir, my submission is that the Government must agree for a discussion and bring all the facts to the House ... (*Interruptions*)

MR. SPEAKER: You are not allowing the Minister to reply.

... (*Interruptions*)

डा. रघुवंश प्रसाद सिंह (वैशाली) : प्रधान मंत्री जी ने उसमें बयान किया है।...(व्यवधान)

MR. SPEAKER: I have called the Minister. You can speak after him.

... (*Interruptions*)

डा. रघुवंश प्रसाद सिंह : असली बात तो छूट गई।...(व्यवधान) फॉर्मर लॉ मिनिस्टर ने जो गंभीर आरोप लगाए हैं, उनको क्यों दबाया जा रहा है? ...(व्यवधान)

MR. SPEAKER: Nothing will go on record.

(*Interruptions*)*

अध्यक्ष महोदय : एक बार आप ऊपर देखिए, बच्चे लोग देख रहे हैं कि हाउस किस तरह से चल रहा है।

...(व्यवधान)

संसदीय कार्य मंत्री तथा सूचना प्रौद्योगिकी मंत्री (श्री प्रमोद महाजन) : अध्यक्ष महोदय, यह विवाद जब उठा, तब विपक्ष ने मांग की थी कि प्रधान मंत्री जी सदन में आकर वक्तव्य दें। उसके अनुसार प्रधान मंत्री जी ने सदन में आकर अपना वक्तव्य दिया। भारत सरकार को या प्रधान मंत्री जी को इस में कोई भी बात छिपाने की नहीं है। ...(व्यवधान) अगर विपक्ष प्रधान मंत्री जी के वक्तव्य से संतुष्ट नहीं है और इसमें किसी प्रकार की चर्चा चाहता है, तो विपक्ष नियम के अनुसार प्रस्ताव लाए, उसके बाद ही सरकार अपनी

*Not Recorded.

प्रतिक्रिया व्यक्त कर सकती है। As far as the transparency of the present Prime Minister is concerned, he is the cleanest and the most transparent Prime Minister the country has ever seen.... (*Interruptions*)

MR. SPEAKER: Nothing will go on record except the Minister.

*(Interruptions)**

श्री प्रमोद महाजन : मुझे आश्चर्य है, कांग्रेस को चन्द्रशेखर जी का सहारा लेना पड़ रहा है। ...(व्यवधान)

Sir, I congratulate the hon. Member Shri Jaipal Reddy for leaving company of honest and transparent people and joining company of the 'so-called honest and transparent people' against whom he fought for at least ten to fifteen years.